

1 Kevin Keaney, OSB #87271
2 E-mail: k.keaney@comcast.net
3 700 NE Multnomah Street, Suite 1155
 Portland, Oregon 97232
 Telephone: (503) 232-9280
 Facsimile: (503) 232-1099

FILED 05 OCT 14 14:58 USDC ORP

Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

LAURIE SELLARS, ROSE
TROUTMAN, BETTY HUNT,
GARY PARKS, RONNY
BLANCHARD, EVELYN BONNEY,
DENNIS J. BROWN, STEVE
CHARBONNEAU, RANDEL M.
COFFIN, WILLIAM J. CUDDY,
STEVE DUMONT, DOUGLAS
EDWARDS, PHIL D. EVANS,
CHARLOTTE V. FREELAND,
BRIAN HANCOCK, DAWN L.
HENDERSON, CHRIS HILTON,
STEVE HOPMAN, GREG M.
HUHMAN, JEFF P. IRVIN,
ROBERT JACKSON, MARION J.
JAMESON, JAMES R. JENNINGS,
KEITH KIMBERLIN, TIM
KNUTSON, KEVIN LOSCHIAVO,
NICK LOSCHIAVO, ERIC LOWE,
LAURA MARCHANT, DANIEL W.
MARTIN, KAHRI N. MYERS,
MELVIN M. MYERS, RON J.
O'DELL, KUM JA PARK, KERRY
L. PARR, DANA K. PRICE,
SOLOMON K. ROBINSON, TOM B.
SCHROEDER, ALLEN
SIMONEAUX, ELAINE SKINNER,
GREGORY SMITH, JOAN SMITH,
ALTA THOMPSON, KEITH
TOWE, JENNIFER SMITHKEN
WAITE, JACQUELINE L.
WEHAGE, JIM A. WEISS,
RUSSELL WILLIAMS, CHRIS
ANDREWS, JOSEPH ATKERSON,
AARON BAKER, GREGORY
BATES, DYRL BLACK, GREGORY
CAVENER, LISA CAVENER,
NATHAN CHAMBERS, JEFF

Case No. 3:05-CV-1013-HA

**SECOND AMENDED
COMPLAINT AND DEMAND FOR
JURY TRIAL**

(Unpaid Wages)

1 **CLAY, EARL COX, WESLEY**
2 **DEMOSS, SCOTT DIGMAN,**
3 **BRIAN EARLL, RICHARD ESSY,**
4 **NANCY GRAVES, STEVE**
5 **GRAVES, ROBERT HESS,**
6 **RANDALL HOOD, STEVE**
7 **LITTLETON, JOHN LOWE, DAVE**
8 **MOREAU, LORRAINE MORRIS,**
9 **DAVID MUNROE, KRISTOPHER**
10 **NEWTON, BILL SELLARS,**
11 **COREY SHOWALTER,**
12 **CHRISTIAN SLATER, BARBARA**
13 **STADSTAD, JEROME STEWART,**
14 **KURT TAYLOR, MICHELLE**
15 **TORRES, THOMAS WADOLFF,**
16 **JAMES WALLINGTON,**

17 **Plaintiffs,**

18 **Vs.**

19 **SAFEWAY, INC.,**

20 **Defendant.**

21 Plaintiff alleges:

22 **GENERAL ALLEGATIONS**

23 1.

24 This case has been brought for unpaid wages owed by defendant to
25 plaintiffs.

26 2.

27 Defendant has removed this case from state court to this Court on the basis
28 that the Court has federal-question jurisdiction. Venue would be proper because
29 all acts complained of occurred in the District of Oregon.

3.

Plaintiffs are employed by, or were employed by, defendant at the Clackamas Bread Plant in Clackamas, Oregon.

4.

Defendant is a Delaware corporation authorized to do business in this state.

5.

During plaintiffs' employment with defendant, defendant has failed or failed to pay plaintiffs for the time they have spent or spent changing into laundered work uniforms and work shoes after arriving at the plant, as has been or was required of plaintiffs by defendant under its personnel policies and procedures.

6.

Plaintiffs have demanded that defendant pay for the time spent in defendant's service, as set forth in the preceding paragraph, but defendant has refused to do so.

CLAIM FOR RELIEF

(ORS Chapter 652)

7.

Defendant is liable to plaintiffs, and each of them, for unpaid wages and overtime in amounts to be determined at trial.

8.

Defendant is liable for a penalty, where appropriate, under ORS 652.150 and for reasonable attorney fees and costs under ORS 652.200(2).

Plaintiffs demand trial by jury.

WHEREFORE, plaintiff prays for judgment as set forth above.

Dated this 14th day of October 2005.

KEVIN KEANEY PC

~~Kevin Keaney, OSB No. 87271~~

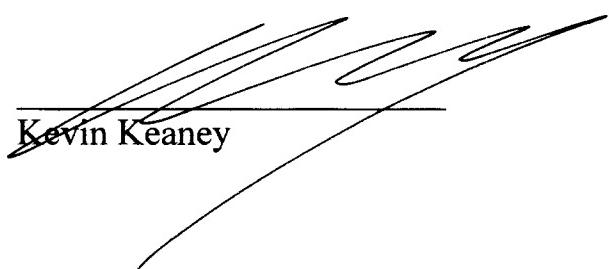
~~700 NE Multnomah Street
Suite 1155
Portland, Oregon 97232~~

Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I certify I served a true and accurate copy of the attached document on
the following by regular USPS mail on October 14, 2005:

Rebecca Dean
Preston Gates & Ellis
925 Fourth Avenue, Ste 2900
Seattle, Washington 98104



A handwritten signature in black ink, appearing to read "Kevin Keaney". The signature is written over a horizontal line and includes several diagonal strokes above and below the main name.